REMARKS

This application has been carefully reviewed in light of the Office Action dated April 22, 2005. It is noted that, while Applicants requested a new Office Action in a paper dated May 20, 2005, and to date a new Office Action has not been issued, Applicants are hereby withdrawing that Request since the omitted claims which formed the basis for the Request (i.e., Claims 89, 92 and 95) are being cancelled herein. Thus, Claims 80 to 84, 86, 88, 90, 94, 96 and 105 to 108 are now pending in the application, with Claims 85, 87, 89, 91 to 93, 95 and 97 to 104 having been cancelled and Claims 105 to 108 having been added. Claims 80, 88 and 94 are the independent claims herein. Reconsideration and further examination are respectfully requested.

Claims 80, 87, 88, 91, 94, 97, 98, 103 and 104 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 5,802,502 (Gell), Claims 81 to 86, 90, 93, 96, 101 and 102 were rejected under 35 U.S.C. § 103(a) over Gell, and Claims 99 and 100 appear to have been rejected under § 103(a) over Gell in view of U.S. Patent No. 5,742,892 (Chaddha). Reconsideration and withdrawal of the rejections are respectfully requested.

The present invention concerns processing of requests for transmission of an image. According to the invention, an image transmission request and an image quality request are received. The quality of an image designated by the image transmission request is set based on the received image quality and the image is processed accordingly. Then, a charge is derived for the transmission of the image based on the image quality set in accordance with the image quality request. As a result, users can select the quality of an image and are charged accordingly.

Referring specifically to the claims, amended independent Claim 80 is an image transmission apparatus, comprising a reception unit, adapted to receive, from an external terminal, an image transmission request and an image quality request for setting a quality of an image designated by the image transmission request, a processing unit,

adapted to process the image designated by the image transmission request in accordance with the image quality set by the image quality request, a transmission unit, adapted to transmit the processed image to the external terminal, and a deriving unit, adapted to derive a charge for the transmitted image based on the image quality set by the image quality request.

Amended independent Claims 88 and 94 are method and program claims, respectively, that substantially correspond to Claim 80.

The applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of Claims 80, 88 and 94, and in particular, is not seen to disclose or to suggest at least the feature of processing an image designated by a received image transmission request in accordance with an image quality set based on a received image quality request, and deriving a charge for transmission of the processed image based on the set image quality.

Gell is merely seen to disclose that a user submits a request for a service (e.g., a telecommunications request) to poll all service providers for price information. The service providers process the request and provide pricing information, and possibly other information such as the quality of service (e.g., satellite or land line use, bit error rate (BER), etc.) to the user. The user can then select which service provider they want to use for the service. Thus, while Gell may calculate pricing for a requested service, and may provide information regarding quality of the service, Gell is not seen to disclose or to suggest at least the feature of processing an image designated by a received image transmission request in accordance with an image quality set based on a received image quality request, and deriving a charge for transmission of the processed image based on the set image quality. Thus, amended independent Claims 80, 88 and 94 are not believed to be anticipated by, nor obvious over, Gell.

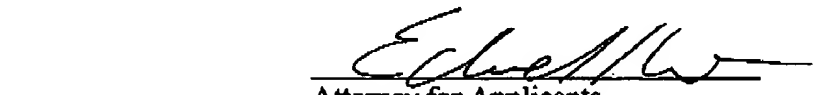
Chaddha has been studied but is not seen to add anything to overcome the

foregoing deficiencies of Gell. In this regard, Chaddha is merely seen to disclose that a server provides an appropriately compressed stream in accordance with a charge designated by a user. However, like Gell, Chaddha is not seen to disclose or to suggest at least the feature of processing an image designated by a received image transmission request in accordance with an image quality set based on a received image quality request, and deriving a charge for transmission of the processed image based on the set image quality. Accordingly, a combination of Gell and Chaddha is not believed to render the present invention obvious.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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